

H. J. R. No. 22

By: Hal

A JOINT RESOLUTION

PROPOSING an ~~Amendment~~ to the Constitution of the State of Texas to fix the time during which the members of the Legislature shall be ineligible to hold other offices.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That the Constitution of Texas, Article III, be and <sup>the</sup> same is hereby amended by ~~deleting~~ therefrom Section 18, and substituting in lieu thereof the following:

"Section 18. No Senator or Representative shall, during the term for which he was elected, be eligible to (1) any civil office of profit under this State which shall have been created, or the emoluments of which may have been increased, during such term, or (2) any office or place, the appointment to which may be made, in whole or in part, by either branch of the Legislature; provided, however, the fact that the term of office of Senators and Representatives does not end precisely on the last day of December but extends a few days into January of the succeeding year shall be considered as de minimis, and the ineligibility herein created shall terminate on the last day in December of the last full calendar year of the term for which he was elected. No member of either House shall vote for any other member for any office whatever, which may be filled by a vote of the Legislature, except in such cases as are in this Constitution provided, nor shall ~~any~~ member of the Legislature be interested,

H. J. R. No. \_\_\_\_\_

either directly or indirectly, in any contract with the State, or any County thereof, authorized by any law passed during the term for which he was elected."

~~Section~~ 2. The foregoing ~~Constitutional~~ ~~Amendment~~ shall be submitted to a vote of the qualified electors of this State, at an election to be held throughout the State on the first Tuesday after the first Monday in November, 1968, at which election all ballots shall have printed thereon the following:

"For the ~~Constitutional~~ ~~Amendment~~ fixing the time during which members of the Legislature shall be ineligible to hold other offices."

"Against the ~~Constitutional~~ ~~Amendment~~ fixing the time during which members of the Legislature shall be ineligible to hold other offices."

If it appears from the returns of such election that a majority of the votes cast therein are for such amendment, same shall become a part of the Constitution of Texas.

*Done*  
~~Section~~ 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for such election and this amendment shall be published and the election shall be held as required by the Constitution and laws of this State. ✓

jpi

(For favorable and unfavorable reports on bills and resolutions,  
where no committee amendments are recommended.)

COMMITTEE REPORTDate April 4, 1967 ;

HON. BEN BARNES,  
Speaker of the House of Representatives.

SIR:

We, your Committee on Constitutional Amendments, to whom was  
referred HJR No. 22, have had the same under  
consideration and beg to report back with recommendation that it ~~(do not)~~ <sup>( do )</sup>  
pass.

Raefer Line  
Chairman.

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BILL ANALYSIS

(1) Background Information

There is now some discrepancy on the time when members of the Legislature shall be ineligible to hold other offices.

(2) What the Bill Propose to do

Amend the Constitution of the State of Texas to fix the time during which the members of the Legislature shall be ineligible to hold other offices.

(3) Section by Section Analysis

Section 1: Amend Section 18, Article III, Constitution, to provide that no member of the Legislature shall, during his term of office, be eligible to (1) any civil office of profit under this State which shall have been created, or the emoluments of which may have been increased, during such term, or (2) any office or place, the appointment to which may be made, in whole or in part by the Legislature; provided, however, the fact that the term of office of members of the Legislature does not end precisely on the last day of December but extends a few days into January of the succeeding year shall be considered as de minimis, and the ineligibility herein created shall terminate on the last day in December of the last full calendar year of the term for which he was elected. No member of the Legislature shall vote for any other member for any other office, which may be filled by the Legislature, except where it is provided in the Constitution. No member of the Legislature shall be interested, directly or indirectly, in any contract with the State or any county thereof, authorized by any law passed during the term for which he was elected.

Section 2: This amendment shall be submitted to the qualified electors of this State on the first Tuesday after the first Monday in November, 1968.

Section 3: The Governor of the State of Texas is hereby directed to issue the necessary proclamation for such election and this amendments shall be published and the election shall be held as required by the Constitution and laws of this State.

(4) Summary of Committee Hearings

Representative Hale explained HJR 22, and it was sent to a Subcommittee. After the Subcommittee report on HJR 22, a motion to recommit HJR 22 to another Subcommittee was made. This motion was tabled on a record vote: 8 Yeas to 5 Nays. Another motion was made to postpone consideration until a later date. This motion failed on a division vote: 7 Nays to 6 Yeas. The motion to report HJR 22 back to the House failed on a division vote: 7 Yeas to 7 Nays. A motion that HJR 22 be laid on the Table, subject to call passed on a division vote: 8 Yeas to 5 Nays. At a later meeting, a motion to call HJR 22 from the Table was unanimously adopted. The Committee unanimously reported HJR 22 back to the House with the recommendation that it do pass and be printed.

per  
by Lee

Amend H.J.R. No. 22 by adding  
a sentence at the end of  
Sec. 3 as follows:

Insert  
①

① Such publication of this  
amendment shall be limited to  
Sections 1 and 2 of this  
resolution only. ①

DATE APR 17 1967

READ AND ADOPTED

Dorothy Hallman  
CHIEF CLERK  
HOUSE OF REPRESENTATIVES

~~\_\_\_\_\_~~

OS  
OK

By: Hale

H.J.R. No. 22

HOUSE JOINT RESOLUTION

proposing an amendment to the Constitution of the State of Texas to fix the time during which the members of the Legislature shall be ineligible to hold other offices. \_\_\_\_\_

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That the Constitution of Texas, Article III, be and the same is hereby amended by deleting therefrom Section 18, and substituting in lieu thereof the following: \_\_\_\_\_

"Section 18. No Senator or Representative shall, during the term for which he was elected, be eligible to (1) any civil office of profit under this State which shall have been created, or the emoluments of which may have been increased, during such term, or (2) any office or place, the appointment to which may be made, in whole or in part, by either branch of the Legislature; provided, however, the fact that the term of office of Senators and Representatives does not end precisely on the last day of December but extends a few days into January of the succeeding year shall be considered as de minimis, and the ineligibility herein created shall terminate on the last day in December of the last full calendar year of the term for which he was elected. No member of either House shall vote for any other member for any office whatever, which may be filled by a vote of the Legislature, except in such cases as are in this Constitution provided, nor shall any member of the Legislature be interested, either directly or indirectly, in any contract with the State, or any county thereof,

authorized by any law passed during the term for which he was elected." \_\_\_\_\_

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state, at an election to be held throughout the state on the first Tuesday after the first Monday in November, 1968, at which election all ballots shall have printed thereon the following: \_\_\_\_\_

"For the constitutional amendment fixing the time during which members of the Legislature shall be ineligible to hold other offices." \_\_\_\_\_

"Against the constitutional amendment fixing the time during which members of the Legislature shall be ineligible to hold other offices." \_\_\_\_\_

If it appears from the returns of such election that a majority of the votes cast therein are for such amendment, same shall become a part of the Constitution of Texas. \_\_\_\_\_

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for such election and this amendment shall be published and the election shall be held as required by the Constitution and laws of this state. Such publication of this amendment shall be limited to Sections 1 and 2 of this Resolution only. \_\_\_\_\_

Austin, Texas

May 4, 1967

Hon. Preston Smith  
President of the Senate

Sir:

We, your Committee on CONSTITUTIONAL AMENDMENTS,  
to which was referred HJR 8. No. 22, have had the same  
under consideration, and I am instructed to report it back to  
the Senate with the recommendation that it do \_\_\_\_\_  
pass \_\_\_\_\_ and be \_\_\_\_\_ printed.

  
Chairman MOORE

CAS

ENROLLED

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authorized by any law passed during the term for which he was elected."

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If it appears from the returns of such election that a majority of the votes cast therein are for such amendment, same shall become a part of the Constitution of Texas.

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for such election and this amendment shall be published and the election shall be held as required by the Constitution and laws of this state. Such publication of this amendment shall be limited to Sections 1 and 2 of this Resolution only.

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Lieutenant Governor  
President of the Senate

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Speaker of the House

H.J.R. No. 22

I hereby certify that H.J.R. No. 22 was adopted by the House,  
as amended, on April 17, 1967, by the following vote: Yeas 141,  
Nays 1.

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Chief Clerk of the House

I hereby certify that H.J.R. No. 22 was passed by the Senate  
on May 24, 1967, by the following vote: Yeas 29, Nays 1.

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Secretary of the Senate

APPROVED:

6/17/67

Date

*John Connally*

Governor

FILED BY JOHN L. HILL  
SECRETARY OF STATE  
6:52pm O'CLOCK

JUN 17 1967

*John L. Hill*  
Secretary of State

H. J. R. No. 22

By: Hale

A JOINT RESOLUTION

PROPOSING an Amendment to the Constitution of the State of Texas to fix the time during which the members of the Legislature shall be ineligible to hold other offices.

FILED FEB 7 1967

FEB 9 1967 READ 1ST TIME  
AND REFERRED TO COMMITTEE ON  
Constitutional  
Amendments

APR 5 1967 REPORTED FAVORABLY SENT TO PRINTER

PRINTED, DISTRIBUTED AND  
REFERRED TO COMMITTEE ON

RULES 3:15 pm M. APR 5 1967  
(Time) (Date)

APR 17 1967

READ SECOND  
TIME Amended AND

ORDERED ENGROSSED and adopted,  
by vote of 141 ayes, 1 noes.

Dorothy Hallman

Chief Clerk, House of Representatives

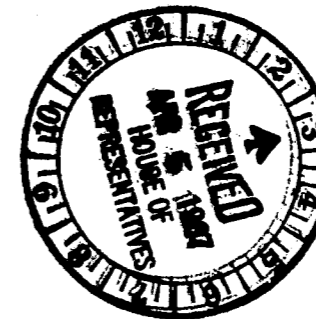
APR 17 1967

MOTION TO RECONSIDER THE VOTE BY  
WHICH H.J.R. # 22 WAS  
ADOPTED / ~~PASSED~~ AND TO TABLE THE MOTION TO RECON-  
SIDER PREVAILED ~~PASSED~~ BY A Non-Record VOTE OF

AYES AND NAVES  
Dorothy Hallman  
CHIEF CLERK HOUSE OF REPRESENTATIVES

APR 17 1967

SENT TO ENGROSSING CLERK



P.M.

By: Hale

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proposing an amendment to the Constitution of the State of Texas to fix the time during which the members of the Legislature shall be ineligible to hold other offices. \_\_\_\_\_

2- 7-67 Filed. \_\_\_\_\_

2- 9-67 Read first time and referred to Committee on Constitutional Amendments. \_\_\_\_\_

4- 5-67 Reported favorably, sent to printer. \_\_\_\_\_

4- 5-67 Printed, distributed and referred to Committee on Rules at 3:15 p.m. \_\_\_\_\_

4-17-67 Read second time, amended and adopted by the following vote:  
Yeas 141, Nays 1. \_\_\_\_\_

Dorothy Hallman  
Chief Clerk, H. of R.

4-17-67 Sent to Engrossing Clerk. \_\_\_\_\_

4-17-67 Engrossed. \_\_\_\_\_

Orea Guggins  
Engrossing Clerk, H. of R.

APR 18 1967 RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE

APR 18 1967

IN THE SENATE  
Received from the House

MAY 1 1967

Read first time  
and referred to Committee  
on Constitutional Amendments

MAY 5 1967 Reported Favorably.

MAY 24 1967  
Regular order of business suspended by unanimous consent to permit consideration.

MAY 24 1967

READ SECOND TIME. \_\_\_\_\_  
AND PASSED TO THIRD READING.

MAY 24 1967

Senate Rule 32 and  
Constitutional Rule (Sec. 32, Art. III)  
suspended by a vote of 30 yeas,  
0 nays, to place bill on third  
reading and final passage.

MAY 24 1967

READ THIRD TIME AND PASSED  
BY THE FOLLOWING VOTE:

Yeas 29 Nays 1

Charles Schnabel  
Secretary of the Senate

MAY 24 1967

SENT TO HOUSE  
MAY 24 1967 RETURNED FROM SENATE

Dorothy Hallman  
Chief Clerk, House of Representatives

MAY 24 1967

SENT TO ENROLLING CLERK